

D<sup>2</sup> which extends through port 440 and into the body of the canister, and angle portion 426 which extends at an angle to portion 424. Portion 426 tapers inwardly toward its free end and is adapted to connect to a body fluid conduit.--

In the Claims:

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o Withdraw claims 14 - 21, 24 - 27, 30, 32, 34, 35, 37 and 38, without prejudice to the applicant's right to file one or more divisional applications in respect of such claims.

REMARKS

The specification is amended at page 1, first paragraph, to make reference to U.S. application No. 09/062,551, as required by the Examiner. The specification is further amended at page 11, line 13 to refer to inlet port 440, in response to the Examiner's objection to the disclosure at page 4 of the Office Action. We enclose both a clean copy of amended pages 1 and 11 and a marked-up version to show the changes that were made.

With respect to the applicant's claim for foreign priority based on his Canadian applications, we enclose herewith certified copies of Canadian patent application Serial Nos. 2,146,673, filed April 10, 1995, and 2,147,292, filed April 19, 1995.

With respect to the Examiner's restriction and election requirements, the applicant withdraws claims 25 - 27, 34 and 35 as being drawn to a non-elected invention. The applicant affirms the election of claims 1 - 13, 22, 23, 28, 29, 31, 33 and 36 and withdraws the remaining claims.

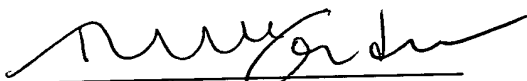
The applicant has noted the Examiner's requirement concerning the drawings and proposes to file formal drawings when the application is allowed.

The Examiner has cited U.S. Patent No. 5,797,242 Fraker and has rejected claims 29, 31, 33 and 36 as being anticipated by it under U.S.C. 102(e). The applicant swears behind the Fraker reference with respect to these claims. We enclose the Affidavit of Kenneth Gordon Walker, the applicant, which shows that the applicant filed a Canadian patent application on April 19, 1995 which illustrates, in Figure 3 thereof, the suction canister of claim 36 and the lid of claims 29 and 31. The invention was accordingly

completed in a NAFTA country earlier than the filing date of the Fraker reference. Claim 33 claims the canister lid of claim 31 further comprising a check valve operatively coupled to the vacuum port. Although the check valve is not shown in the Canadian application, it is only a subsidiary feature which was already known in the art in connection with vacuum ports. The applicant claims priority from the Canadian application and a certified copy of it has been filed with this amendment. It is therefore submitted that the citation of the Fraker patent against claims 29, 31, 33 and 36 should be withdrawn.

In view of the foregoing amendments and submissions, it is submitted that the application should be passed to allowance.

Respectfully submitted,

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VERSION WITH MARKING TO SHOW CHANGES

In the Specification:

The paragraph beginning at page 1, line 4 has been amended as follows:

This application is a continuation of application Serial No. 09/062,551, filed April 20, 1998, which is a continuation-in-part of application Serial No. 08/627,011 filed April 3, 1996, which issued as Patent No. 5,741,237 on April 21, 1998.

The paragraph beginning at page 11, line 13, has been amended as follows:

Inlet [Outlet] port 440 extends through lid 480 into canister 470 and is fitted with nipple 442. Removable inlet tube 444 has flange 422 adapted to sealingly engage nipple 442 and hold inlet tube 444 thereon. Inlet tube 444 has a straight portion 424 which extends through port 440 and into the body of the canister, and angle portion 426 which extends at an angle to portion 424. Portion 426 tapers inwardly toward its free end and is adapted to connect to a body fluid conduit.

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## SYSTEM FOR DISPOSAL OF FLUIDS

### References to Related Application

- 5 This application is a continuation of application Serial No. 09/062,551, filed April 20, 1998, which is a continuation-in-part of application Serial No. 08/627,011 filed April 3, 1996, which issued as Patent No. 5,741,237 on April 21, 1998.

### Technical Field

- 10 The invention pertains to a system for disposing of fluids and in particular a system for the safe disposal of body fluids collected during surgical procedures.

### Background

- 15 During surgery and other medical procedures, blood and other potentially infectious fluids are collected which must eventually be disposed of, without undue risk of infection to hospital workers by pathogens that may be present in the fluids. Disposable suction canisters, or disposable liners for canisters, are commonly used at present to collect  
20 fluids. These are either incinerated together with the collected fluids, or the fluids may be emptied to a drain by hospital workers and the empty canisters subsequently incinerated or removed to a remote location for disposal. Prior to incineration or disposal, disinfecting or gelling agents are often dispensed in the canisters. The additional handling of canisters  
25 required to carry out these procedures increases the likelihood of exposure to the collected body fluids and therefore increases the risk to workers of infection by pathogens in the fluids.

- 30 Reusable gravity fed fluid collection devices such as "kickbuckets" are also used in operating rooms, but such devices must typically be emptied and cleaned by hand, or disposable liners in such

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Vacuum port 402 is fitted with nipple 404 extending vertically upward therefrom and adapted to connect to a vacuum conduit. Nipple 404 is fitted with removable and tethered cap 405. A check valve 406 that is the same as the check valve of Fig. 1 is attached to lid 480, to prevent  
5 overflow of body fluid from vacuum port 402.

Inlet port 416 is fitted with nipple 418. The opening across the top of nipple 418 is closed by rupturable membrane 417. Port 418 is intended for the insertion of a sprayer during the cleaning of the canister  
10 in the servicing unit, so membrane 417 is adapted to be ruptured by insertion of the sprayer.

Inlet port 440 extends through lid 480 into canister 470 and is fitted with nipple 442. Removable inlet tube 444 has flange 422 adapted  
15 to sealingly engage nipple 442 and hold inlet tube 444 thereon. Inlet tube 444 has a straight portion 424 which extends through port 440 and into the body of the canister, and angle portion 426 which extends at an angle to portion 424. Portion 426 tapers inwardly toward its free end and is adapted to connect to a body fluid conduit.

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When canister 470 is being used for collecting body fluids during surgery, cap 498 is put in place to seal nipple 490, a vacuum conduit is connected to nipple 404 and a body fluid inflow conduit is connected to inlet tube 444. A cap (not shown) is fitted to nipple 419 to  
25 seal inlet port 416. Vacuum is applied through the vacuum conduit, inducing the flow of body fluids into the canister, in which they are collected. When the canister is full, it can be disconnected from the

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